

AMENDED

ASSIGNED
No. 58050

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office SEP 4 1992
Returned to applicant for correction OCT 5 1992
Corrected application filed JAN 22 1993
Map filed JAN 22 1993

The applicant Ogelbay Norton Company, contact Charles S. Smith
(216) 861-8705
1100 Superior Avenue, of Cleveland,
Street and No. or P.O. Box No. City or Town
Ohio 44114, hereby make application for permission to appropriate the public
State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
copartnership or association, give names of members.) November 5, 1931
Delaware

1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 1.5 cfs or 353.85 million gallons second-feet
annually One second-foot equals 448.83 gals. per min. See No. 12 Remarks
(a) If stored in reservoir give number of acre-feet N/A
3. The water to be used for Mining, milling, and domestic.
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated N/A
 - (b) Stockwater, state number and kinds of animals to be watered N/A
 - (c) Other use (describe fully under No. 12. "Remarks") See No. 12 remarks
 - (d) Power:
 - (1) Horsepower developed N/A
 - (2) Point of return of water to stream N/A

5. The water is to be diverted from its source at the following point SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 8,
Describe as being within a 40-acre subdivision of public
T.20 S., R.65 E., M.D.B.M. or at a point from which the E $\frac{1}{4}$ corner
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
of said Section 8 bears South 77° 42' 57" East a distance of
3,581.45 feet. (Well ID: ONCO3)
6. Place of use Mining and milling on Sections 5, 6, 7, and 8, T.20 S., R.65 E.,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
M.D.B.M. and milling on Sections 5 and 12, T.20 S., R.64 E.,
M.D.B.M. Road dust control for a road crossing Sections 5, 8, 9,
10, 11, 12, 15, 16, and 17, T.20 S., R.64 E., M.D.B.M. and Sections
9, 16, and 17, T.20 S., R.65 E., M.D.B.M.
7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Drilled well with pump, motor, discharge
State manner in which water is to be diverted, i.e. diversion structure, ditches and
piping, and meter.
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$100,000

10. Estimated time required to construct works.....two years

If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use.....five years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water use: washing and scrubbing silica sand to be used in the glass and other silica sand consuming industries. Water recycling will be conducted at this mining and milling operation. Recycled water will be used for dust control. 1.5 cfs is the total project water demand for permits 58047, 58048, 58048, 58049, 58050, and 58051.

By R.J. Johnson
Broadbent & Assoc., Inc.
833 Nevada Highway #4
Boulder City, NV 89005

Compared.....gkl/jv ab/vw

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....1.5.....cubic feet per second, but not to exceed 718
acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....March 11, 1996

Proof of completion of work shall be filed before.....April 11, 1996

Application of water to beneficial use shall be filed on or before.....March 11, 1999

Proof of the application of water to beneficial use shall be filed on or before.....April 11, 1999

Map in support of proof of beneficial use shall be filed on or before.....N/A

Completion of work filed.....

Proof of beneficial use filed.....

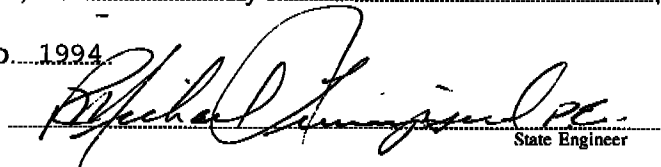
Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this.....11th day of.....March.....

A.D. 1994


State Engineer

(PERMIT TERMS CONTINUED)

The total combined duty of water under Permits 58047, 58048, 58049, 58050 and 58051 shall not exceed 718 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from the well and the amount of water consumed for each use authorized under this permit.

The total depth of the wells drilled under Permits 58047, 58048, 58049, 58050, 58051, inclusive may not progress beyond the normal pool elevation of Lake Mead which is 1157 feet (mean sea level).

The State Engineer retains the right to require dedicated monitoring wells if conditions warrant such action.

